

BEFORE THE DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)

MARTIN F.B. SPRINGER, M.D.)
Certificate # G-57322)

File No: 02-93-27687

Respondent.)
_____)

DECISION

The attached Stipulation is hereby adopted by the Division of Medical Quality of the Medical Board of California as its Decision in the above-entitled matter.

This Decision shall become effective on June 16, 1995.

It is so ordered May 17, 1995.

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA



Karen McElliott, Chair
Panel B

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1515 K Street, Suite 511
P. O. Box 944255
5 Sacramento, CA 94244-2550
Telephone: (916) 324-5161

6 Attorneys for Complainant
7

8 BEFORE THE DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

11 In the Matter of the)	No. <u>029327687</u>
12 Accusation Against:)	
)	STIPULATION IN SETTLEMENT
13 MARTIN F.B. SPRINGER, M.D.)	
819 17th Street)	
14 Modesto, CA 95354)	
)	
15 Certificate No. G-57322)	
)	
16 Respondent.)	
)	

17
18 Respondent Martin F.B. Springer, M.D., through his
19 attorney Elizabeth Grossman, and the Medical Board of California,
20 Division of Medical Quality, through its counsel Deputy Attorney
21 General Robert C. Miller, do hereby enter into the following
22 stipulation:

23 1. Dixon Arnett, Executive Director of the Medical
24 Board of California (hereinafter "Board") filed accusation number
25 029327687 solely in his official capacity.

26 2. On May 27, 1986, the Board issued physician and
27 surgeon certificate number G-57322 to Martin F.B. Springer

1 (hereinafter "respondent"). The certificate was in full force
2 and effect at all times pertinent herein.

3 3. Respondent has read and understands the charges
4 contained in the accusation. Respondent understands that said
5 charges, if found to be true, constitute cause for disciplinary
6 action.

7 4. Respondent understands that he has a right to a
8 hearing on the charges contained in the accusation, to
9 reconsideration, to appeal, and to any and all rights accorded
10 him by the Administrative Procedure Act and Code of Civil
11 Procedure. Respondent hereby freely and voluntarily waives those
12 rights in order to enter into this stipulation as a resolution of
13 the pending accusation against him.

14 5. It is expressly understood by the parties that the
15 admissions made herein are for the purposes of this proceeding or
16 other proceeding before the Board and may not be used for any
17 other purpose.

18 6. Subject to the proviso in item 5 above, respondent
19 admits that the allegations contained in the accusation are true.

20 7. Based on the waivers and admissions made herein,
21 the Division of Medical Quality of the Board may issue the
22 following decision:

23 Physician and surgeon certificate number G-57322,
24 heretofore issued to Martin F.B. Springer, M.D., is hereby
25 revoked; provided, however, that said revocation is stayed, and
26 respondent is placed on probation for a period of five (5) years
27 upon the following terms and conditions:

1 A. Respondent has been suspended from the practice of
2 medicine since June 4, 1993. No additional suspension will be
3 imposed as a condition of probation.

4 B. Within thirty (30) days of the effective date of
5 this decision, respondent shall submit to the Division for its
6 prior approval a community service program in which respondent
7 shall provide free medical services on a regular basis to a
8 community or charitable facility or agency for at least ten hours
9 a month for the first 24 months of probation.

10 C. Within 90 days of the effective date of this
11 decision, and on an annual basis thereafter, respondent shall
12 submit to the Division for its prior approval an educational
13 program or course to be designated by the Division, which shall
14 not be less than 40 hours per year, for each year of probation.
15 This program shall be in addition to the Continuing Medical
16 Education requirements for re-licensure. Following the
17 completion of each course, the Division or its designee may
18 administer an examination to test respondent's knowledge of the
19 course. Respondent shall provide proof of attendance for 65
20 hours of continuing medical education of which 40 hours were in
21 satisfaction of this condition and were approved in advance by
22 the Division.

23 D. Within 60 days of the effective date of this
24 decision, respondent shall submit to the Division for its prior
25 approval a course in Ethics, which respondent shall successfully
26 complete during the first year of probation.

27 ///

1 E. Within 30 days of the effective date of this
2 decision, and on a periodic basis thereafter as may be required
3 by the Division or its designee, respondent shall undergo a
4 psychiatric evaluation (and psychological testing, if deemed
5 necessary) by a Division-appointed psychiatrist who shall furnish
6 a psychiatric report to the Division or its designee. Respondent
7 shall pay the costs of all examinations, evaluations and
8 treatment.

9 If respondent is required by the Division or its
10 designee to undergo psychiatric treatment, respondent shall
11 within 30 days of the requirement notice submit to the Division
12 for its prior approval the name and qualifications of a
13 psychiatrist of respondent's choice. Upon approval of the
14 treating psychiatrist, respondent shall undergo and continue
15 psychiatric treatment until further notice from the Division.
16 Respondent shall have the treating psychiatrist submit quarterly
17 status reports to the Division.

18 Respondent shall not engage in the practice of medicine
19 until notified by the Division of its determination that
20 respondent is mentally fit to practice safely.

21 F. Within 30 days of the effective date of this
22 decision, respondent shall submit to the Division for its prior
23 approval a plan of practice in which respondent's practice shall
24 be monitored by another physician in respondent's field of
25 practice, who shall provide quarterly reports to the Division.

26 If the monitor resigns or is no longer available,
27 respondent shall, within 15 days, move to have a new monitor

1 appointed, through nomination by respondent and approval by the
2 Division.

3 G. Through probation, respondent shall have a third
4 party present while examining or treating minor patients.

5 H. Respondent shall pay costs to the Division in the
6 amount of \$3000.00 to be paid in quarterly installments during
7 the first year of probation.

8 I. Respondent shall obey all federal, state and local
9 laws, and all rules governing the practice of medicine in
10 California.

11 J. Respondent shall submit quarterly declarations
12 under penalty of perjury on forms provided by the Division,
13 stating whether there has been compliance with all the conditions
14 of probation.

15 K. Respondent shall comply with the Division's
16 probation surveillance program.

17 L. Respondent shall appear in person for interviews
18 with the Division's medical consultant upon request at various
19 intervals and with reasonable notice.

20 M. The period of probation shall not run during the
21 time respondent is residing or practicing outside the
22 jurisdiction of California. If, during probation, respondent
23 moves out of the jurisdiction of California to reside or practice
24 elsewhere, respondent is required to immediately notify the
25 Division in writing of the date of departure, and the date of
26 return, if any.

27 ///

1 N. Upon successful completion of probation,
2 respondent's certificate will be fully restored.

3 O. If respondent violates probation in any respect,
4 the Division, after giving respondent notice and the opportunity
5 to be heard, may revoke probation and carry out the disciplinary
6 order that was stayed. If an accusation or petition to revoke
7 probation is filed against respondent during probation, the
8 Division shall have continuing jurisdiction until the matter is
9 final, and the period of probation shall be extended until the
10 matter is final.

11 8. If this stipulation is not adopted by the
12 Division, it shall have no force or effect on any party.

13 DATED: 2/25/95

14 DANIEL E. LUNGREN, Attorney General
15 of the State of California
16 JANA L. TUTON
17 Supervising Deputy Attorney General

18 

19 ROBERT C. MILLER
20 Deputy Attorney General

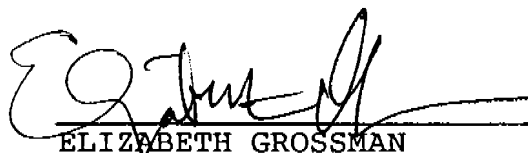
21 Attorneys for Complainant

22 DATED: 2/16/95

23 
24 MARTIN F.B. SPRINGER, M.D.

25 Respondent

26 DATED: 2/15/95

27 
ELIZABETH GROSSMAN

Attorney for Respondent

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1515 K Street, Suite 511
P.O. Box 944255
5 Sacramento, California 94244-2550
Telephone: (916) 324-5161

6 Attorneys for Complainant
7

8 BEFORE THE DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
9 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
10

11 In the Matter of the Accusation)	No. 02-93-27687
Against:)	
)	ACCUSATION
12 MARTIN F.B. SPRINGER, M.D.)	
13 2301 Poppy Lane)	
14 Davis, CA 95616)	
)	
15 Physician's and Surgeon's)	
Certificate No. G-57322)	
)	
16 Respondent.)	

17
18 Dixon Arnett, the complainant herein, alleges as
19 follows:

20 1. He is the Executive Director of the Medical Board
21 of California, and makes and files this accusation in his
22 official capacity as such and not otherwise.

23 2. On or about May 27, 1986, respondent Martin F.B.
24 Springer, M.D. (hereinafter "respondent") was issued physician's
25 and surgeon's certificate number G-57322 under the laws of the
26 State of California.

27 ///

1 3. Section 2234 of the Business and Professions Code
2 provides that the Division of Medical Quality of the Medical
3 Board of California shall take action against a holder of a
4 physician's and surgeon's certificate who is guilty of
5 unprofessional conduct.

6 4. Section 2236 of the Business and Professions Code
7 provides that the conviction of any offense substantially related
8 to the qualifications, functions, or duties of a physician and
9 surgeon constitutes unprofessional conduct. A conviction of such
10 any offense following a nolo contendere plea is deemed to be a
11 conviction within the meaning of this section.

12 5. Respondent is subject to disciplinary action
13 pursuant to sections 2234 and 2236 of the Business and
14 Professions Code in that on or about July 5, 1994, respondent was
15 convicted of violating Penal Code section 243.4, sexual battery.

16 WHEREFORE complainant prays that the Division of
17 Medical Quality hold a hearing on the matters alleged herein and
18 following said hearing issue a decision:

19 1. Suspending or revoking the license issued to
20 respondent Martin F.B. Springer, M.D.;

21 2. Prohibiting respondent from supervising a
22 physician's assistant;

23 3. Ordering respondent to pay costs incurred in the
24 investigation and prosecution of this action; and

25 ///

26 ///

27 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

4. Taking such other and further action as may be proper.

DATED: 2/9/95 *Robert C. Miller*
for

DIXON ARNETT
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO
BY _____